IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Pat. # 6,442,602

EDISON LUX INDUSTRIES LLC,   :
                                          :
                    Plaintiff,   :
                                          :
          v.   :   Civil Case No. _____
                                          :
NOMINUM, INC.   :   **JURY TRIAL DEMANDED**
                                          :
                    Defendant.   :
                                          :

COMPLAINT

Plaintiff Edison Lux Industries LLC ("Plaintiff"), for its Complaint against Defendant

Nominum, Inc. ("Defendant"), hereby alleges as follows:

PARTIES

1.   Plaintiff is a Delaware limited liability company.

2.   Upon information and belief, Defendant is a Delaware corporation having a

principal place of business at 2000 Seaport Boulevard, Suite 400, Redwood City, California

94063.   Upon information and belief, Defendant may be served with process through its

registered agent, Corpamerica, Inc., at 2711 Centerville Road, Suite 400, Wilmington, Delaware

19808.

NATURE OF THE ACTION

3.   This is a civil action for the infringement of United States Patent No. 6,442,602

(the "'602 Patent") under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*

JURISDICTION AND VENUE

4.   This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the Patent Laws of the United States, 35 U.S.C. § 271 *et seq.*

5.   This Court has personal jurisdiction over Defendant because it is incorporated in Delaware and has purposely availed itself of the privileges and benefits of the laws of the State of Delaware.

6.   Upon information and belief, more specifically, Defendant, directly and/or through authorized intermediaries, ships, distributes, offers for sale, sells, and/or advertises its products and services in the United States and the State of Delaware. Upon information and belief, Defendant has committed patent infringement in the State of Delaware. Defendant solicits customers in the State of Delaware. Defendant has many paying customers who are residents of the State of Delaware and who each use Defendant's products and services in the State of Delaware.

7.   Venue is proper in this judicial district as to Defendant pursuant to 28 U.S.C. §§ 1391 and 1400(b).

THE PATENT-IN SUIT

8.   Paragraphs 1-7 are incorporated by reference as if fully set forth herein.

9.   On February August 27, 2002, the '602 Patent entitled "System and Method for Dynamic Creation and Management of Virtual Subdomain Addresses" was duly and lawfully issued by the United States Patent and Trademark Office ("PTO"). The '602 Patent is attached hereto as Exhibit A.

10.   Plaintiff is the exclusive licensee of the '602 Patent and possesses all rights of recovery under the '602 Patent, including the right to sue and recover all damages for infringement thereof, including past infringement.

COUNT I – PATENT INFRINGEMENT

11.   Paragraphs 1-10 are incorporated by reference as if fully restated herein.

12.   Upon information and belief and in violation of 35 U.S.C. § 271(a), Defendant has infringed and continues to infringe at least Claim 1 of the '602 patent by making, using, providing, offering to sell, and selling (directly or through intermediaries), in this district and elsewhere in the United States, systems and methods for redirecting virtual subdomains (e.g., unrecognized unregistered subdomains) to a real/registered domain or virtual subdirectory, as described via the website http://www.nominum.com.

13.   More specifically, and by way of non-limiting example, Defendant sells to its clients Vantio NXR that redirects requests for unregistered unrecognized subdomains. The Vantio NXR receives from an Internetworked client computer (e.g., the customer's DNS server or an end user computing system) a request for an Internet document at an unrecognized unregistered subdomain address. An exemplary unrecognized unregistered subdomain would include doesnotexist.domain.com.

14.   Defendant advertises that the Vantio NXR is a policy software module that interprets user entries in the browser address bar, getting users to their intended destinations. When a Web site name cannot be resolved, standard DNS servers return an NXDomain or NXD (Non-existent domain) message. Vantio NXR evaluates the available website listings and other

content that might match the NXD, and guides the user to a search results page. A request for an unrecognized unregistered subdomain address causes the generation of an NXDOMAIN error.

15.   When a user types an incorrect URL, instead of receiving a blank Domain-Not-Found error page the user receives a custom "NavAssist" page. More specifically, upon receiving the request for an unrecognized unregistered subdomain address, Vantio NXR executes a redirection script on said domain name server in response to said request for said unrecognized unregistered subdomain address. Simply put, Vantio NXR executes a redirection action in response to the receipt of the NXDOMAIN response. Vantio NXR then accesses a computer-readable record by said script to determine a subdirectory or recognized and registered domain name assigned to the unrecognized unregistered subdomain. Defendant advertises that their Vantio NXR will redirect requests for errant DNS requests (NXDOMAIN errors) to a search results page "NavAssist" which is associated with a recognized and registered domain name. *See* Exhibit B.

16.   After the proper subdirectory and/or registered domain name has been determined by Vantio NXR, the Vantio NXR service will then redirect the request to a recognized and registered domain name (e.g., the domain name associated with the NavAssist page) such that the request results in a request to a recognized domain name or to a subdirectory of a recognized domain name on a web server, thereby allowing the request to be fulfilled by said web server which hosts the recognized domain name.

17.   To the extent such notice may be required, Defendant received actual notice of its infringement of the '602 Patent at least as early as the filing of the complaint in this action, pursuant to 35 U.S.C. § 287(a).

18.   Defendant's aforesaid activities have been without authority and/or license from Plaintiff.

19.   Plaintiff is entitled to recover from the Defendant the damages sustained by Plaintiff as a result of the Defendant's wrongful acts in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

20.   Defendant's infringement of Plaintiff's exclusive rights under the '602 Patent will continue to damage Plaintiff, causing irreparable harm for which there is no adequate remedy at law, unless enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Edison Lux Industries LLC respectfully requests that this Court enter judgment against Defendant Nominum, Inc. as follows:

A.   An adjudication that Defendant has infringed the '602 Patent;

B.   An award of damages to be paid by Defendant adequate to compensate Plaintiff for its past infringement and any continuing or future infringement up until the date such judgment is entered, including interest, costs and disbursements as justified under 35 U.S.C. § 284 and, if necessary, to adequately compensate Plaintiff for Defendant's infringement, and an accounting of all infringing sales including, but not limited to, those sales not presented at trial;

C.   A declaration that this case is exceptional under 35 U.S.C. § 285;

D.   An award to Plaintiff of its attorney fees, costs, and expenses incurred in prosecuting this action; and

E.   An award to Plaintiff of such further relief at law or in equity as the Court deems

just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all claims and issues so triable.

Dated: May 1, 2012   STAMOULIS & WEINBLATT LLC

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